

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

**ANNA GRACE STUCKEY,**

**Plaintiff,**

**CIVIL NO. 2:14cv656**

**v.**

**CAROLYN W. COLVIN,**

**Acting Commissioner of Social  
Security.**

**ORDER**

Pursuant to 28 U.S.C. §§ 636(b)(1)(B) and (C), Federal Rule of Civil Procedure 72(b), Local Civil Rule 72, and the April 2, 2002, Standing Order on Assignment of Certain Matters to United States Magistrate Judges, the Court referred this matter to Magistrate Judge Tommy E. Miller. Upon Judge Miller's retirement, the matter was referred to Magistrate Judge Robert J. Krask. Judge Krask filed a Report and Recommendation ("R & R"), ECF No. 17, with respect to the parties' opposing motions for summary judgment recommending that the Court vacate the final decision of Carolyn Colvin, Acting Commissioner of the Social Security Administration, and remand this matter for further proceedings consistent with the R & R.

By copy of the R & R, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen (14) days from the date the R & R was mailed. The Court has received no written objections or other response to the R & R from either party, and the time for filing objections has expired.

When reviewing a Magistrate Judge's R & R, the Court must make a *de novo* determination of those portions of the R & R to which objections, if any, are made.

Fed.R.Civ.P. 72(b); 28 U.S.C. § 636(b)(1)(C). The Court is authorized to accept, reject or modify, in whole or in part, the findings and recommendations made by the Magistrate Judge. Fed.R.Civ.P. 72(b); 28 U.S.C. § 636(b)(1)(C).

In the absence of any objections to the R & R, ECF No. 17, from either party, the findings of fact and conclusions of law contained therein are hereby **ADOPTED** in their entirety.

Plaintiff's motion for summary judgment, ECF No. 12, is **GRANTED**; the Defendant's motion for summary judgment, ECF No. 14, is **DENIED**; the final decision of the Acting Commissioner is **VACATED**, and this matter is **REMANDED** for further proceedings consistent with Judge Krask's Report and Recommendation.

The Clerk is **DIRECTED** to deliver a copy of this Order to all Counsel of Record in the case.

**IT IS SO ORDERED.**

  
Robert G. Doumar  
Senior United States District Judge

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UNITED STATES DISTRICT JUDGE

Norfolk, VA  
February 2, 2016